IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

Bail Appl..No. 7318 of 2007()

CRIME NO.162/03 OF PAVARATTY POLICE STATION
CC.882/2006 of J.M.F.C.,CHAVAKKAD

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APPLICANT/ACCUSED

BIJOY, S/O.EKAMBARAN, PALAPARAMBIL
HOUSE, P.O.KANJANI, THRISSUR DISTRICT.

BY ADV. SRI.P.SANTHOSH (PODUVAL)
SMT.R.RAJITHA

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING SUB INSPECTOR OF POLICE,
PAVARATTY POLICE STATION.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/12/2007, ALONG WITH BA NO. 7326 OF 2007 BA NO. 7337 OF 2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.Nos. 7318, 7326 &
7337 of 2007

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Dated this the 6th day of December, 2007

O R D E R

These applications by the common petitioner are all for regular bail. The petitioner faces indictment in three different prosecutions all under Section 379 I.P.C. and all pending before the learned J.F.C.M. Chavakkad. The applications are stoutly opposed by the learned Prosecutor on the ground that the petitioner is involved in several similar offences and if the petitioner were released on bail, he may not be available for trial.

2. Report was called for. The learned Magistrate now reports that one of the three cases i.e. C.C. 882 of 2006, to which B.A.No. 7318 of 2007 relates, has already been disposed of. In both the other cases, i.e. C.C.Nos. 883 and 884 of 2006, trial has already commenced and the learned Magistrate reports that the cases shall be finally disposed of by 31.1.2008.

3. Having considered all the relevant circumstances, I am satisfied that the petitioner's prayer for regular bail does not deserve to be considered favourably now. The learned Magistrate shall dispose of both the cases by 31.1.2008 as already undertaken. If the cases are not disposed of by 15.2.2008, the petitioner shall, of course, be able to approach this Court again to claim bail.

3. Communicate this order to the learned Magistrate, who must ensure that the cases are disposed of within the period of time as undertaken by him.

4. These applications are accordingly dismissed.

(R. BASANT)
Judge

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